

ARTICLE APPEARED
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24 April 1984**Letters****The Job of Congressional C.I.A. Overseers**

To the Editor:

The suggestion has been advanced by The Times ["The Real Intelligence Failure," editorial April 18] and by others that, because the House Permanent Select Committee on Intelligence was fully apprised of unilateral C.I.A. activities in the Nicaraguan war, it somehow failed to insist that the Administration better define its aims in that war, failed to maintain high skepticism about such secret operations or failed to simply stop the mining of Nicaraguan harbors.

To all the commentators, I recommend reconsideration and a better memory. I can only assume that they do not read the Congressional Record or their own publications.

The committee sought initially to restrain the secret war in Nicaragua — not because of the absence of Administration goals but because those goals would not lead to an end to con-

flict in Central America. That effort at restraint failed.

For more than a year now, the committee has sought to end the war in Nicaragua. Twice it has brought bills before the House proposing this solution. Twice the House has voted for them. That is not a record of ambiguity or co-option.

The war in Nicaragua continues. Although the House did not prevail in conference with the Senate, what did emerge was a \$24 million cap on expenditures in this fiscal year. That money will soon be exhausted because the Administration has chosen to accelerate attacks against Nicaragua. The Administration wants an additional \$21 million for the war. The Senate has approved it. When the House votes on this issue, members of the committee will again oppose it.

I disagree with those who appear to believe that the House and Senate Intelligence Committees should hold a press conference every time they hear something with which they disagree.

The intelligence oversight committees are not powerless. They have two principal options for disagreeing with secret Administration policies. They can attempt to persuade the President to change that policy. This method has met with only limited success under two Presidents — Carter and Reagan — but it can work.

The committee also controls the purse strings of the intelligence agencies. It can recommend a cutoff in funding — as it has done in the case of the war in Nicaragua.

Efforts at persuasion and budgetary action need not be limited to the two committees. Neither of them has hesitated to request secret sessions of their respective bodies to inform colleagues of events in Nicaragua.

Further, as in the case of the second Nicaragua vote in the House (Oct. 20, 1983), enough factual information usually can be made public to permit knowledgeable debate. On that occasion, the committee made clear that the seaborne attack on the port of Corinto was a significant escalation of the war — not by discussing who carried it out but by pointing to increased targeting of the Nicaraguan economy.

Recent public discussion about the Nicaraguan mining has rendered moot my intention of seeking a secret session of the House in connection with debate on the Senate's amendment to appropriate an additional \$21

million for the war. When that vote comes, however, I do not believe that the House will assess a failure of oversight by the Permanent Select Committee on Intelligence. I believe both House proponents and opponents of the war have been well informed and advised by the committee on the matter of Nicaragua. Future House consideration of this issue will continue to be informed.

The current debate over the appropriate Congressional role in foreign policy is a serious one, and one that will not soon be resolved. Nonetheless, in the realm of secret foreign policy — covert action — two principles are well established. They stem from a lengthy public debate which culminated in the intelligence oversight statute. They are well accepted because they represent two sides of one coin:

Congress must be informed — in advance — of "significant anticipated intelligence activities" (especially covert action). The price of this advance notice, however, is protection of secret intelligence activities.

These twin principles strike a precarious but so far enduring balance. They require good faith and a spirit of accommodation in both branches of government. Recent hearings before the committee on proposals to tighten Congressional control of covert action — especially paramilitary covert action — convince me that such controls would upset this balance and deny flexibility which the President should have in foreign affairs.

I believe the existing system has come under strain because of the mining issue and that the proper balance needs to be restored, but I also believe that the present oversight system — with continued budgetary action by the Congress — can work and is working. It may not satisfy those who want full disclosure of intelligence matters, nor will it satisfy all critics, but it can serve the country — particularly the foreign policy process — adequately.

(Rep.) EDWARD P. BOLAND
Chairman, Permanent Select
Committee on Intelligence
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